CERTAIN

QVERIES

Lovingly propounded to

Mr. WILLIAM PRYNNE,

To be by him ingenuously resolved,

from his large Treatise, entituled

The Soveraigne Power of Parliaments:

CONCERNING

1. *The Peoples power of electing recalling and punishing their Parliament men.*
2. *Parliament-mens wages and rewards.*
3. *Parliament-proceedings.*
4. *Power of Parliaments.*
5. *The Peoples power of electing Synod-men.*
6. *A perpetuall Parliament.*
7. *The three Estates in Parliament.*
8. *An Order, or Ordinance of Parliament.*
9. *Parliament Protestant.*
10. *The Parliament and Armies Case.*

Bonum est omnia scire.

It is good to know all things.

Printed in the yeare of Liberty, 164⅞.

I. *Queries concerning the Peoples power of electing, recalling, and punishing their Parliament-men.*

WHether is it not the undoubted liberty of the Subject to choose their Parliament-men?

Whether have the Parliament-men so chosen any power to represent or act for the People, further then they have commission from those that chose them?

Whether may Parliament-men so chosen, act, or go beyond the commission which they received from those that chose them?

Whether are not all Parliament-men to be accountable to the respective Counties and Corporations that chose them?

Whether may not all Parliament-men be found to have an unlimited power, even to destroy their respective Counties and Corporations, unless they were to be accountable unto the said Counties and Corporations?

Whether if any Parliament-men prove careless, negligent, or unable to discharge the great trust reposed in them, may not the respective Counties and Corporations recall them back again as often as they please, and send others more honest, diligent, and better qualified for discharging so great a trust?

Whether if any Parliament-men shall betray the trust reposed in them may not their respective Counties and Corporations proceed to punish them by fines, imprisonment, or death, according to the magnitude of their offences?

Whether would it ever a while the more endanger the being of Parliaments, though never so many of the Members of both or either House were questioned and punished for their unjust breach of trust; then if so many corrupt Judges of the Courts at Westminster were executed for their injustice or bribery, and honest men chosen in their places?

II. *Concerning Parliament-mens wages and rewards.*

Whether doth it not only concern the respective Counties and Corporations to make an allowance unto their respective Parliament-men for their ordinary expences, and reward them for their extraordinary services?

Whether is it more in the power of Parliament-men to receive the Kingdomes moneys, and distribute them amongst themselves,

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5000. l. 10000. l. or 20000. l. apeece, upon whatsoever pretences, then it is for so many Apprentices or other servants to be their own carvers, to pick their masters pockets, and take the moneys out of their masters cash-chests, dividing them amongst themselves, according to what proportion they please, for wages?

Whether are not such Parliament-men as liable to be punished by the known Lawes of England, as Apprentices for fingering and disposing of their Masters moneys without commission or consent?

Whether ought not all such moneys, weekly pensions, and pretended rewards and considerations already received by any Parliament-men, be brought into a publike Treasury for payment of the Kingdomes just debts; and not only such as received them, but such also as so profusely gave them, be made exemplary by some note or other, for thus arbitrarily disposing of the Kingdoms stock?

III. *Parliament proceedings.*

Whether have not many of these present Parliament-men behaved themselves towards the people more like domineering Masters and Tyrants, then Representatives and Servants?

Whether ought the high Court of Parliament to entertaine any causes, save such as could not elsewhere find relief, or had been unduly sentenced in other Courts of Justice?

Whether in this present Parliament have not Petitions been chiefly admitted through favour or rejected for want of friends?

Whether are not all Parliament-men censurable by their respective Counties and Corporations, for refusing to receive, or acquaint the House with such Petitions as have been given them, by any one, or more members of their respective Counties and Corporations?

Whether ought not the debates, and all proceedings of Parliament, with their subordinate Committees, except some few, which may require secrecy, be made more publike, if possible, then any of the Courts at Westminster?

Whether ought not the Records, or Books of either House, lie open and free for any one to peruse, with such restriction only and over-sight, as may secure them from being perverted or defaced?

Whether ought not any Subject of *England* to have a copie of any Act, Ordinance, Order, or Vote of either House, at such cheapest rates, as may only produce the Officers a livelihood?

Whether is it not requisite that a Parliament being once begun,

 no

no Member should absent himselfe without expresse leave, upon apparent danger of health; and in such case, another forthwith to be chosen in his place?

Whether is it not requisite, that nothing passe as voted in either House, without three quarters of an exact full House; that is, three quarters of so many Members as each House consists of?

Whether is it not requisite, that every particular Parliament-mans name be registred, with his respective *Yes* or *No*, unto each Vote, that each County, Corporation, or any particular man may see how they behave themselves upon all occasions?

IV. *Power of Parliaments.*

Whether were it not most unlawfull and irrationall, to suppose that Parliament-men or any other number of people may have an unquestionable or unlimited power, to live how they list, or doe what they list, without controule or being accountable?

Whether were not such an unlimited power in any number of people, destructive in a Nation?

Whether is not such mens power to be interpreted unlimited and boundlesse, as have no other rule for what they doe, besides their own will and pleasure?

V. *The peoples power of electing Synod-men.*

Whether have these present Parliament-men any Power or Commission besides their own will and pleasure, to alter or set up a new Religion?

Whether if these Parliament-men have power to alter our Religion, may they not possibly reduce it unto Popery againe, or set up such a new one, as yet was never heard of or imagined?

Whether if they should set up Poperie, or any other new-fashioned Religion, make new Creeds and Service-Bookes, must we not either conforme unto them, or say, they had no Commission for setting of them up?

Whether is there any knowne Law for enabling of a Parliament to choose a Synod, in such manner as that now assembled at Westminster was chosen?

Whether is not the power in the people for choosing Synod-men, as well as Parliament-men?

Whether was it not an extraordinarie breach upon the Subjects liberty for these present Parliament-men to take upon them the choosing Synod-men in such manner as they did?

Whether by that Act of choosing Synod-men, and reserving the last

all appeale of all Synod matters unto themselves, together with their arbitrary proceedings in Civill matters, and their endeavouring to perpetuate both one and other, doth it not appeare, that these present Parliament-men intended to inthrall the whole Kingdome both in civill and Church-matters, unto themselves, their sons, kindred and alliance, unto the worlds end?

VI. *A perpetuall Parliament.*

Whether a King or Monarch who is but one, if he should degenerate into a Tyrant, be not easier to be suppressed then 500. Parliament-men, if they turn Tyrants?

Whether hath not a perpetuall Parliament a capacity of preferring their sons, kindred and alliance throughout the whole Kingdome to be chosen Parliament-men instead of such as die, or shall be voted out at pleasure for not being of their faction, even to the worlds end?

Whether hath not a perpetuall Parliament a capacity of intrusting none with the *Militia* throughout the Kingdome, besides their sons, kindred and alliance, unto the worlds end?

Whether hath not a perpetuall Parliament a capacity of preferring their sons, kindred and alliance, to bee Committee-men throughout the whole Kingdome, unto the worlds end?

Whether hath not a perpetuall Parliament the like capacity of preferring their sons, kindred, and alliance, to be Judges, and Justices of the peace, and unto all Offices, both of repute and profit, throughout the whole Kingdome, unto the worlds end?

Whether hath not a perpetuall Parliament a capacity of preferring their sons, kindred and alliance, to have the sole command of the Navy, unto the worlds end?

Whether this perpetuall Parliament, with their sons, kindred and alliance, being the sole Committee-men and having all Offices of repute and profit in their own hands, together with the sole command of the *Militia*, both by *Sea* and *Land*, have not a capacity of becomming the most absolute Tyrants which this Kingdome, or any Nation under the cope of heaven, ever endured?

Since the Act for the Triennial Parliament was passed in the 16. of King *Charles*, and that Act for not dissolving this present Parliament without consent of both Houses, not till the 17. of

K. Charles; Whether were is not a contradiction, and a meere nullifying of the first Act of the 16. of K. Charles, to intend that this present Parliament should not have had a convenient end, even within three yeers, that the Triennial Parliament might have had its due beginning according to the said first Act of the 16. of K. Charles?

Whether is not a perpetuall Parliament prejudiciall to every man, besides these present Parliament-men, their sons, kindred, and alliance; who by this means, are bereft of the honour of serving their Countrey in Parliament, when they should be called unto it?

Whether is not a perpetuall Parliament prejudiciall to the whole Kindome in generall, which hath no possibilitie of enjoying the sundry abilities, or talents of any others, besides such as are present Parliament-men, their sons, kindred or alliance?

Whether was it more in the Kings power to make a perpetuall Parliament, then to cause that there should never be any Parliament again?

Whether was not the going about to establish a perpetuall Parliament the greatest breach of the Subjects Liberty, which was ever made upon them?

Whether are not such as were most active in the Houses to contrive it, or advising the King to passe it, with all others endeavouring to bring about this perpetuall Parliament, guilty of highest Treason which ever was committed, and most worthy to be questioned and punished, as the most destructive of all Counsellours both against King and Parliament, unlesse they can make their innocence appeare more clearely then hitherto it doth? and consequently,

Whether ought we not to be more jealous of a Hydra, a many-headed Tyranny, then of Monarchy which having but one head may easier be reduced upon any occasion of exorbitancy? and lastly,

Whether are not both King and People obliged both towards their God and Country, for bending all their might and maine to breake off, and put a period unto this perpetuall Parliament?

VII. *The three Estates in Parliament.*

Whether is it not the first fundamentall Law, or rather the corner-stone and ground-work of all the Laws of England, that no old Law shall be repealed, nor new Law made, without concurrence of all the three Estates in Parliament?

Whether are not these three Estates in Parliament, the King, the Lords, the Commons?

Whether

Whether may it not be presumed an extraordinary policie in our Ancestors to establish the foundation of all our Lawes and Government rather upon these three Estates, then upon two or one?

Whether according to the old Proverb, that it is better to have two strings to a bow then one, is it not more hazardous to have old Lawes repealed, or new Lawes made by one or two Estates only, then by all three Estates in Parliament?

Whether is not the denial of a negative voyce to either of the three Estates in Parliament, a reducing of the three Estates unto a lesser number?

Whether doe not such go about to overthrow the ground-worke of all the fundamentall Lawes, who endeavour to reduce the three Estates in Parliament to two, or one?

Whether are not such to be questioned and proceeded against as Arch-traytors to their Country, who go about to overthrow the very ground-work of all the fundamentall Lawes of the Kingdome, and seek to introduce a Government more hazardous, or lesse politick, then what our Ancestors had served so long since, and prospered so well withall?

VIII. *An Order or Ordinance of Parliament.*

Whether is not an Act of Parliament, of more validity, and more binding then an Ordinance, or a bare Proclamation or single Order of either House of Parliament?

Whether is the acting by a bare Ordinance as warrantable, as by an Act of all the three Estates in Parliament?

Whether according to the known Lawes of England may not the three Estates in Parliament assembled question, and even punish all such as have at any time acted by an Ordinance, or Order of either House of Parliament?

Whether then doth it not exceedingly concern the whole Kingdome, that an Act of oblivion be passed, for all such matters as have been transacted without the Royall assent, since the beginning of this Parliament?

IX. *Parliament Protections.*

Whether is there any Law that the Estates of Parliament-men, whether Lords or Commons, should be exempted from paying of their just debts; much lesse the Estates of their servants, or persons of whomsoever they protect; and least of all, when a Parliament shall be spun out into such an everlastingnesse?

Whether the keeping Parliament-mens Estates, both of Lords

and

and Commons, from being subject to pay debts, hath not likely been an effect of the tyrannous usurpation of Parliaments, rather then any just Law or practice?

Whether have not these Parliament-mens so long exempting their estates from paying debts, expressed them to bee meer selfe-seekers, done them much hurt and dis-credit, and even dishonoured Parliaments, as much as any one act of theirs?

Whether is it not to bee supposed, that no act hath so much alienated the minds of London from these present Parliament-men, as their not paying their private debts unto the Citizens, to whom so many of them, both Lords and Commons, are so much engaged?

Whether is it not probably to be judged that many men have used indirect meanes to get themselves chosen Parliament-men, that they might thereby exempt both their persons and estates from paying debts, and be at liberty to cozen their fellow-subjects by priviledge of Parliament?

Whether have not many men with their whole families, not only much suffered, but been quite undone, through the death of so many Parliament-men, both Lords and Commons, during the over-grown Session of this everlasting Parliament?

Whether is it not most of all unreasonable and unjust, that such Lords as have not been suffered to sit in the House of Peers for their malignancy, should yet have their estates protected by the same House, from paying of their debts; whilst such as were dismissed the House of Commons for the same cause, became liable to payment of their debts, both in their persons, and estates? And lastly,

Whether if there had been any colourable Law or Custome formerly for freeing Parliament-mens estates from paying debts, were it not a most licentious and unwarrantable Law or Custom not longer to be indured?

X. *The Parliaments and Armies Case.*

By what known Law doth it appeare that this present Parliament had any other rule or ground for levying of a war and keeping Armies on foot, beside the extreame necessity thereof, for preservation of the Kingdome, or their partie rather?

Whether hath not the Army under the command of Sir *Thomas Fairfax* the selfe-same ground of extreamest necessity, not to disband, untill they see themselves and partie secured, by the settlement of the Kingdome.

FINIS.